

2013 DRAFTING REQUEST

Bill

Received:	1/17/2013	Received By:	mduchek
Wanted:	As time permits	Same as LRB:	
For:	Administration-Budget	By/Representing:	Dombrowski
May Contact:		Drafter:	mduchek
Subject:	Health - social services	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**

Pre Topic:

DOA:.....Dombrowski, BB0402 -

Topic:

Coordinated service teams

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	mduchek 1/29/2013	jdyer 1/21/2013	jmurphy 1/21/2013	_____	sbasford 1/21/2013		State S&L
/P2		jdyer 1/30/2013	phenry 1/30/2013	_____	mbarman 1/30/2013		State S&L
/P3	mduchek 2/8/2013	jdyer 2/8/2013	rschluet 2/8/2013	_____	sbasford 2/3/2013		State S&L
/1		jdyer	phenry	_____	srose		State

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		2/13/2013	2/13/2013	_____	2/8/2013		S&L
/2				_____	mbarman		State
				_____	2/13/2013		S&L

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/1		2/13 jld	2/13 pm	X _____	srose		State

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1 2/8 jld
19617

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P3 2/2 jld 2/3 ph ph/

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/P1 mduchek

P1 1/21 jld
Jm 1/21/13
Jm 1/21/13

FE Sent For:

<END>

Duchek, Michael

From: Dodge, Tamara
Sent: Thursday, January 17, 2013 9:31 AM
To: Duchek, Michael
Subject: FW: Statutory Language Drafting Request - BB0402

Mike,

This request seems to be a health draft. I have just received several mental health requests so would you take this one.

Tami

Tamara J. Dodge

Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 267 - 7380
tamara.dodge@legis.wisconsin.gov

From: Cynthia.Dombrowski@Wisconsin.gov [<mailto:Cynthia.Dombrowski@Wisconsin.gov>]
Sent: Thursday, January 17, 2013 8:56 AM
To: Hanaman, Cathlene
Cc: Gauger, Michelle C - DOA; Dombrowski, Cynthia A - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0402

Biennial Budget: 2013-15

DOA Tracking Code: BB0402

Topic: Coordinated Service Teams

SBO Team: HSI

SBO Analyst: Dombrowski, Cynthia A - DOA
Phone: (608) 266-2214
E-mail: Cynthia.Dombrowski@Wisconsin.gov

Agency Acronym: DHS

Agency Number: 435

Priority: High

Intent:

Create a new subsection under s. 46.56 Initiatives to provide coordinated services for children and families.

Draft language under 46.56 to:

1) Provide counties the authority to create, perform the functions, and deliver services of Coordinated

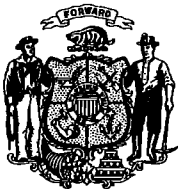
Service Teams (CSTs) under s. 46.56 in a multi-county/tribal region according to criteria established by the department.

2) Provide the department the authority to distribute funding from s. 20.435 (5) (co) to a lead administrative county or tribe in a multi-county/tribal region according to criteria established by the department.

3) Preserve the existing statutory requirements and funding provisions under s. 46.56 for county CSTs that do not operate on a regional basis.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1221/P1

MED: ↑...

jld

DOA:.....Dombrowski, BB0402 - Coordinated service teams

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

D-note

4

1

AN ACT ...; relating to: the budget. ✓

Do not gen

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

HEALTH ✓

federally
recognized
American Indian

*

Under current law, the county board of a county or a tribe or band (tribe) may establish an initiative to provide coordinated treatment, education, care, services, and other resources to children who are involved in two or more systems of care and their families. A system of care is defined as a public or private organization that provides services for children, including services for children with disabilities and child welfare, juvenile justice, educational, economic support, substance abuse, and health care services. A county or tribe that establishes an initiative must appoint a coordinating committee and designate a particular agency to administer the initiative. Initiatives that satisfy certain requirements may apply to the state for state funding for the initiative. ✓

Under this bill, a county or tribe may enter into an agreement with one or more other counties or tribes to establish a multi-entity initiative. ✓ The agreement to establish the multi-entity initiative must specify a single lead administrative county or lead administrative tribe, which must appoint the membership of the coordinating committee. ✓ The bill provides that the lead administrative county or tribe for an initiative with more than one county or tribe may also apply for state funding for the multi-entity initiative. ✓

✓

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

X

1 **SECTION 1.** 20.435 (5) (co) of the statutes is amended to read:

2 20.435 (5) (co) *Initiatives for coordinated services.* The amounts in the schedule
3 to fund county and tribal initiatives and multi-entity initiatives ✓ under s. 46.56 to
4 provide coordinated services.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; s. 35.17 correction in (4) (gr).

5 **SECTION 2.** 46.56 (1) (hm) ✓ of the statutes is created to read:

6 46.56 (1) (hm) "Multi-entity initiative" means an initiative including more
7 than one county or tribe ✓ that is established under sub. (2) (b). ✓

8 **SECTION 3.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) ✓ and amended
9 to read:

10 46.56 (2) (a) If Except as provided in par. (b), ✓ if a county board of supervisors
11 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
12 county board or tribe shall appoint a coordinating committee and designate an
13 administering agency. The initiative may be funded by the county or tribe or the
14 county board of supervisors or tribe may apply for funding by the state in accordance
15 with sub. (15).

X

16 **History:** 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

SECTION 4. 46.56 (2) (b) of the statutes is created to read:

1 46.56 (2) (b) A county may enter into an agreement with one or more other
2 counties or tribes to establish an initiative and a tribe may enter into an agreement
3 with one or more counties or tribes to establish an initiative. The parties to the
4 agreement shall designate in the agreement a single lead administrative county or
5 lead administrative tribe. The county board of the lead administrative county or the
6 lead administrative tribe shall appoint a coordinating committee and designate an
7 administering agency. The initiative may be funded by the participating entities, or
8 the county board of supervisors of the lead administrative county or the lead
9 administrative tribe may apply for funding by the state in accordance with sub. (15).

****NOTE: Please review this provision. Does this reflect the intent?

10 **SECTION 5.** 46.56 (3) (bm) of the statutes is created to read:

11 46.56 (3) (bm) 1. For purposes of a coordinating committee appointed for a
12 multi-entity initiative, the representatives required under par. (a) 1. to 7. shall be
13 representatives from the lead administrative county or the lead administrative
14 committee appointed for a multi-entity initiative may also include additional
15 representatives described under par. (a) 1. to 7. who are from counties or tribes
16 included in the multi-entity initiative other than the lead administrative county or
17 lead administrative tribe.

18 2. For purposes of a coordinating committee appointed for a multi-entity
19 initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any
20 county or tribe included in the multi-entity initiative.

****NOTE: Please review these provisions, which require that the members
appointed under s. 46.56 (3) (a) 1. to 7., stats., be appointed from the lead administrative
county or tribe but allows additional members described in s. 46.56 (3) (a) and (b), stats.,
to be appointed from other counties or tribes. Let me know if you would like to handle
this issue differently.

21 **SECTION 6.** 46.56 (3) (c) of the statutes is amended to read:

1 46.56 (3) (c) An existing committee within the county or the lead
2 administrative county of a multi-entity initiative may serve as the coordinating
3 committee if it has the membership required under par. (a) or (bm) 1. and agrees to
4 undertake the responsibilities in par. (d).

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

****NOTE: Please review this change. Is it necessary? I was not sure about the
reference to "within the county" here because under current law, a coordinating
committee could be appointed by a tribe as well.

5 **SECTION 7.** 46.56 (3) (d) 6. of the statutes is amended to read:

6 46.56 (3) (d) 6. If a county or tribe or a multi-entity initiative applies for
7 funding under sub. (15), assist the administering agency in developing the
8 application required under sub. (15) (b).

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

9 **SECTION 8.** 46.56 (3) (d) 14. of the statutes is amended to read:

10 46.56 (3) (d) 14. Establish target groups of children who are involved in 2 or
11 more systems of care and their families to be served by the initiative. For a county
12 or tribe or a multi-entity initiative that applies for funding under sub. (15), severely
13 emotionally disturbed children are required to be a priority target group.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

14 **SECTION 9.** 46.56 (4) (d) of the statutes is amended to read:

15 46.56 (4) (d) If the county board of supervisors or tribe or a multi-entity
16 initiative decides to seek state funding under sub. (15), develop the application in
17 cooperation with the coordinating committee.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

18 **SECTION 10.** 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and

19 amended to read:

46.56 (6) (cr) 1. ~~Every~~ Except as provided in subd. 2. every county and tribe that operates any initiative shall develop written policies and procedures specifying the selection process for the initiative coordinator.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

SECTION 11. 46.56 (6) (cr) 2. of the statutes is created to read:

46.56 (6) (cr) 2. For a multi-entity initiative, the lead administrative county ^{the} or lead administrative tribe shall develop the written policies and procedures under subd. 1. specifying the selection process for the initiative coordinator.

****NOTE: I assumed the lead administrative county or tribe must develop the written policies and procedures specifying the selection process for the initiative coordinator. Is this correct? Should "the initiative coordinator" in these provisions be "an initiative coordinator"?

SECTION 12. 46.56 (14) (b) (intro.) of the statutes is amended to read:

46.56 (14) (b) (intro.) The department shall provide, either directly or through purchase of services, the following support services to the counties and tribes that elect to participate in the initiative and to multi-entity initiatives.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

****NOTE: Please review this change and let me know if you want any further changes to this provision.

SECTION 13. 46.56 (14) (d) of the statutes is amended to read:

46.56 (14) (d) Notwithstanding eligibility requirements for enrollment in the initiative, if the state is funding the initiative in a particular county or for a tribe or is funding a multi-entity initiative under sub. (15), the department may permit the county ~~or~~ tribe, or multi-entity initiative to serve under this section any individual who has a severe disability and who has not attained 22 years of age, and his or her family, if the individual's mental, physical, sensory, behavioral, emotional, or developmental disability or whose combination of multiple disabilities meets the requirements specified in sub. (1) (om) 1. to 4.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

1 **SECTION 14.** 46.56 (14) (e) of the statutes is created to read:

2 46.56 (14) (e) The department may establish additional criteria to apply to
3 multi-entity initiatives. ✓

 ****NOTE: Does this reflect your intent? Can this provision be more specific as to
what kind of criteria DHS would be establishing for these initiatives? See my additional
comments in the drafter's note.

4 **SECTION 15.** 46.56 (15) (b) (intro.) of the statutes is amended to read:

5 46.56 (15) (b) (intro.) In order to apply for funds under this subsection, the
6 county board of supervisors or tribe or, for a multi-entity initiative, ✓ the county board
7 of the lead administrative county or ^{the} lead administrative tribe shall do all of the
8 following:

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

9 **SECTION 16.** 46.56 (15) (b) 4. of the statutes is amended to read:

10 46.56 (15) (b) 4. Submit a description of the existing services and other
11 resources in the each covered county or tribe for children who are involved in 2 or
12 more systems of care, an assessment of any gaps in services, and a plan for using the
13 funds received under this subsection or funds from other sources to develop or
14 expand the initiative.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

15 **SECTION 17.** 46.56 (15) (c) of the statutes is amended to read:

16 46.56 (15) (c) In order for a county or tribe ^{plain} for a multi-entity initiative to obtain
17 funds under this subsection, all of the participating agencies and organizations shall
18 provide matching funds that, in total, equal 20% of the requested funding. The
19 match may be cash or in-kind. The department shall determine what may be used
20 as in-kind match.

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

****NOTE: Please review this change. Are any further changes needed here?

21 **SECTION 18.** 46.56 (15) (d) of the statutes is amended to read:

46.56 (15) (d) In order to apply for funding, a county or tribe or a multi-entity initiative shall have a coordinating committee that meets the requirements under sub. (3) (a) and (b), and, if applicable, sub. (3) (bm) that will carry out the responsibilities under sub. (3) (d).

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

SECTION 19. 48,345 (6m) of the statutes is amended to read:

48.345 (6m) If the report prepared under s. 48.33 (1) recommends that the child is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~[✓] for the county or, for a child who is a member of a tribe, as defined in s. 46.56 (1) (q), ~~by~~[✓] for a tribe, the judge may order an assessment of the child and the child's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

History: 1971 c. 125; 1977 c. 354; 1979 c. 300; 1987 a. 285; 1989 a. 31, 107; 1993 a. 363, 377, 385, 491; 1995 a. 27; 1995 a. 77 ss. 235 to 237, 239, 241, 249, 250, 257 to 263; 1995 a. 225, 448; 1997 a. 27, 80, 164, 292; 1999 a. 9, 149; 2001 a. 59, 69; 2005 a. 25, 387; 2009 a. 28, 94, 185, 302, 334.

SECTION 20. 938.34 (6m) of the statutes is amended to read:

938.34 (6m) COORDINATED SERVICES PLAN OF CARE. If the report prepared under s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ [✓]for the county or, if applicable, [✓]by for a tribe, order that an assessment of the juvenile and the juvenile's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

History: 1995 a. 77, 352, 440, 448; 1997 a. 27, 35, 36, 84, 130, 164, 183, 205; 1999 a. 9, 32, 57, 89, 185; 2001 a. 16, 59, 69, 109; 2003 a. 33, 50, 200, 321; 2005 a. 14, 253, 277, 344; 2007 a. 97, 116; 2009 a. 8, 28, 103, 137, 185, 302, 334; 2011 a. 32, 258; s. 35.17 correction in (3) (f) 4.

(END)

D-note \rightarrow

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1221/P1dn

MED:.....

Date

jld

Cynthia:

This draft permits the creation of "multi-entity initiatives" and makes existing language compatible with those initiatives. Please review the draft and the embedded notes, and also note the following:

1. Because the instructions referred to a "lead administrative county or tribe," I assumed that an agreement to establish a multi-entity agreement should designate a lead county or tribe and that the lead county or tribe would perform the administrative roles that a county or tribe performs under current law. Please review the changes in this regard and let me know if this is not the intent.
2. It was not clear from the instructions what combination of counties and tribes would be permissible under a multi-county/tribal initiative. For purposes of this draft, I assumed that any such combination would be permissible. Please let me know if this is not the intent or if further changes are otherwise needed.
3. See s. 46.56 (14) (e), created in this draft, which allows DHS to establish additional criteria for multi-county/tribal initiatives. Does this meet the intent? Are there any provisions under current s. 46.56, stats., that should not apply to multi-county/tribal initiatives?

Michael Duchek
Legislative Attorney
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1221/P1dn
MED:jld:jm

January 21, 2013

Cynthia:

This draft permits the creation of "multi-entity initiatives" and makes existing language compatible with those initiatives. Please review the draft and the embedded notes, and also note the following:

1. Because the instructions referred to a "lead administrative county or tribe," I assumed that an agreement to establish a multi-entity agreement should designate a lead county or tribe and that the lead county or tribe would perform the administrative roles that a county or tribe performs under current law. Please review the changes in this regard and let me know if this is not the intent.
2. It was not clear from the instructions what combination of counties and tribes would be permissible under a multi-county/tribal initiative. For purposes of this draft, I assumed that any such combination would be permissible. Please let me know if this is not the intent or if further changes are otherwise needed.
3. See s. 46.56 (14) (e), created in this draft, which allows DHS to establish additional criteria for multi-county/tribal initiatives. Does this meet the intent? Are there any provisions under current s. 46.56, stats., that should not apply to multi-county/tribal initiatives?

Michael Duchek
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Duchek, Michael

From: Dombrowski, Cynthia A - DOA <cynthia.dombrowski@wisconsin.gov>
Sent: Tuesday, January 29, 2013 10:49 AM
To: Duchek, Michael
Subject: LRB-1221/P1 Coord Service Teams Draft

Hi Mike –

I have a few edits for the CST draft.

1. Can you please add the words “or more” to the definition of a “multi-entity initiative” in section 2? This would allow DHS the ability to provide a higher funding level to CSTs created through a multi-entity initiative. [could read: “Multi-entity initiative” means an initiative including one or more than one county or tribe...].
2. Section 5. Include one member from each county that is part of the multi-entity initiative. [could read: Section 46.56 (3) (bm) 1. For purposes of a coordinating committee appointed for a multi-entity initiative, the representatives required under par. (a) 1. to 7. shall be representatives from the counties or tribes included in the multi-entity initiative. The coordinating committee shall include at least one representative from each county or tribe included in the multi-entity initiative. ~~lead administrative county or the lead administrative tribe. A coordinating committee appointed for a multi-entity initiative may also include additional representatives described under par. (a) 1. to 7. who are from counties or tribes included in the multi-entity initiative other than the lead administrative county or the lead administrative tribe.]~~
3. Section 14. Give the department the ability to waive the requirements, if needed. [could read: 46.56 (14) (e) The department may establish additional criteria to apply to multi-entity initiatives or waive requirements under this section for multi-entity initiatives.]
4. Section 16. Please edit to read: 46.56 (15) (b) 4. Submit a description of the existing services and other resources in the each covered county or tribe or multi-entity initiative for children who are involved in 2 or more systems of care, an assessment of any gaps in services, and a plan for using the funds received under this subsection or funds from other sources to develop or expand the initiative.

Please let me know if you have any questions on these edits.

Cindy

Cynthia Dombrowski
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State of Wisconsin
2013 - 2014 LEGISLATURE

RMR



LRB-1221/M P2

MED:jld:jm

DOA:.....Dombrowski, BB0402 - Coordinated service teams

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

pwf ✓

✓

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AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

Under current law, the county board of a county or a federally recognized American Indian tribe or band (tribe) may establish an initiative to provide coordinated treatment, education, care, services, and other resources to children who are involved in two or more systems of care and their families. A system of care is defined as a public or private organization that provides services for children, including services for children with disabilities and child welfare, juvenile justice, educational, economic support, substance abuse, and health care services. A county or tribe that establishes an initiative must appoint a coordinating committee and designate a particular agency to administer the initiative. Initiatives that satisfy certain requirements may apply to the state for state funding for the initiative.

Under this bill, a county or tribe may enter into an agreement with one or more other counties or tribes to establish a multi-entity initiative. The agreement to establish the multi-entity initiative must specify a single lead administrative county or lead administrative tribe, which must appoint the membership of the coordinating committee. The bill provides that the lead administrative county or tribe for an initiative with more than one county or tribe may also apply for state funding for the multi-entity initiative.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.435 (5) (co) of the statutes is amended to read:

2 20.435 (5) (co) *Initiatives for coordinated services.* The amounts in the schedule
3 to fund county and tribal initiatives and multi-entity initiatives under s. 46.56 to
4 provide coordinated services.

5 **SECTION 2.** 46.56 (1) (hm) of the statutes is created to read:

6 46.56 (1) (hm) "Multi-entity initiative" means an initiative including more
7 than one county or tribe that is established under sub. (2) (b).

8 **SECTION 3.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) and amended
9 to read:

10 46.56 (2) (a) If Except as provided in par. (b), if a county board of supervisors
11 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
12 county board or tribe shall appoint a coordinating committee and designate an
13 administering agency. The initiative may be funded by the county or tribe or the
14 county board of supervisors or tribe may apply for funding by the state in accordance
15 with sub. (15).

16 **SECTION 4.** 46.56 (2) (b) of the statutes is created to read:

17 46.56 (2) (b) A county may enter into an agreement with one or more other
18 counties or tribes to establish an initiative and a tribe may enter into an agreement
19 with one or more counties or tribes to establish an initiative. The parties to the
20 agreement shall designate in the agreement a single lead administrative county or
21 lead administrative tribe. The county board of the lead administrative county or the

1 lead administrative tribe shall appoint a coordinating committee and designate an
2 administering agency. The initiative may be funded by the participating entities, or
3 the county board of supervisors of the lead administrative county or the lead
4 administrative tribe may apply for funding by the state in accordance with sub. (15).

****NOTE: Please review this provision. Does this reflect the intent?

5 **SECTION 5.** 46.56 (3) (bm) of the statutes is created to read:

6 46.56 (3) (bm) 1. For purposes of a coordinating committee appointed for a
7 multi-entity initiative, the representatives required under par. (a) 1. to 7. shall be
8 representatives from the lead administrative county or the lead administrative tribe.
9 A coordinating committee appointed for a multi-entity initiative may also include
10 additional representatives described under par. (a) 1. to 7. who are from counties or
11 tribes included in the multi-entity initiative other than the lead administrative
12 county or the lead administrative tribe.

13 2. For purposes of a coordinating committee appointed for a multi-entity
14 initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any
15 county or tribe included in the multi-entity initiative.

****NOTE: Please review these provisions, which require that the members
appointed under s. 46.56 (3) (a) 1. to 7., stats., be appointed from the lead administrative
county or tribe but allows additional members described in s. 46.56 (3) (a) and (b), stats.,
to be appointed from other counties or tribes. Let me know if you would like to handle
this issue differently.

16 **SECTION 6.** 46.56 (3) (c) of the statutes is amended to read:

17 46.56 (3) (c) An existing committee within the county or the lead
18 administrative county of a multi-entity initiative may serve as the coordinating
19 committee if it has the membership required under par. (a) or (bm) 1. and agrees to
20 undertake the responsibilities in par. (d).

****NOTE: Please review this change. Is it necessary? I was not sure about the
reference to "within the county" here because under current law, a coordinating
committee could be appointed by a tribe as well.

✓
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✓
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1 **SECTION 7.** 46.56 (3) (d) 6. of the statutes is amended to read:

2 46.56 (3) (d) 6. If a county or tribe or a multi-entity initiative applies for
3 funding under sub. (15), assist the administering agency in developing the
4 application required under sub. (15) (b).

5 **SECTION 8.** 46.56 (3) (d) 14. of the statutes is amended to read:

6 46.56 (3) (d) 14. Establish target groups of children who are involved in 2 or
7 more systems of care and their families to be served by the initiative. For a county
8 or tribe or a multi-entity initiative that applies for funding under sub. (15), severely
9 emotionally disturbed children are required to be a priority target group.

10 **SECTION 9.** 46.56 (4) (d) of the statutes is amended to read:

11 46.56 (4) (d) If the county board of supervisors or tribe or a multi-entity
12 initiative decides to seek state funding under sub. (15), develop the application in
13 cooperation with the coordinating committee.

14 **SECTION 10.** 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and
15 amended to read:

16 46.56 (6) (cr) 1. Every Except as provided in subd. 2., every county and tribe
17 that operates any initiative shall develop written policies and procedures specifying
18 the selection process for the initiative coordinator.

19 **SECTION 11.** 46.56 (6) (cr) 2. of the statutes is created to read:

20 46.56 (6) (cr) 2. For a multi-entity initiative, the lead administrative county
21 or the lead administrative tribe shall develop the written policies and procedures
22 under subd. 1. specifying the selection process for the initiative coordinator.

 ****NOTE: I assumed the lead administrative county or tribe must develop the
written policies and procedures specifying the selection process for the initiative
coordinator. Is this correct? Should "the initiative coordinator" in these provisions be "an
initiative coordinator"?

23 **SECTION 12.** 46.56 (14) (b) (intro.) of the statutes is amended to read:

1 46.56 (14) (b) (intro.) The department shall provide, either directly or through
2 purchase of services, the following support services to the counties and tribes that
3 elect to participate in the initiative and to multi-entity initiatives:

***NOTE: Please review this change and let me know if you want any further changes to this provision.

4 **SECTION 13.** 46.56 (14) (d) of the statutes is amended to read:

5 46.56 (14) (d) Notwithstanding eligibility requirements for enrollment in the
6 initiative, if the state is funding the initiative in a particular county or for a tribe or
7 is funding a multi-entity initiative under sub. (15), the department may permit the
8 county ~~or~~ tribe, or multi-entity initiative to serve under this section any individual
9 who has a severe disability and who has not attained 22 years of age, and his or her
10 family, if the individual's mental, physical, sensory, behavioral, emotional, or
11 developmental disability or whose combination of multiple disabilities meets the
12 requirements specified in sub. (1) (om) 1. to 4.

13 **SECTION 14.** 46.56 (14) (e)[✓] of the statutes is created to read:

14 46.56 (14) (e)^{1.} The department may establish additional criteria to apply to
15 multi-entity initiatives.

***NOTE: Does this reflect your intent? Can this provision be more specific as to what kind of criteria DHS would be establishing for these initiatives? (See my additional comments in the drafter's note.)

16 **SECTION 15.** 46.56 (15) (b) (intro.) of the statutes is amended to read:

17 46.56 (15) (b) (intro.) In order to apply for funds under this subsection, the
18 county board of supervisors or tribe or, for a multi-entity initiative, the county board
19 of the lead administrative county or the lead administrative tribe shall do all of the
20 following:

21 **SECTION 16.** 46.56 (15) (b) 4. of the statutes is amended to read:

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5-20
✓

1 46.56 (15) (b) 4. Submit a description of the existing services and other
2 resources in the each covered county or tribe for children who are involved in 2 or
3 more systems of care, an assessment of any gaps in services, and a plan for using the
4 funds received under this subsection or funds from other sources to develop or
5 expand the initiative.

6 **SECTION 17.** 46.56 (15) (c) of the statutes is amended to read:

7 46.56 (15) (c) In order for a county or tribe or a multi-entity initiative to obtain
8 funds under this subsection, all of the participating agencies and organizations shall
9 provide matching funds that, in total, equal 20% of the requested funding. The
10 match may be cash or in-kind. The department shall determine what may be used
11 as in-kind match.

 ****NOTE: Please review this change. Are any further changes needed here?

12 **SECTION 18.** 46.56 (15) (d) of the statutes is amended to read:

13 46.56 (15) (d) In order to apply for funding, a county or tribe or a multi-entity
14 initiative shall have a coordinating committee that meets the requirements under
15 sub. (3) (a) and (b); and, if applicable, sub. (3) (bm) that will carry out the
16 responsibilities under sub. (3) (d).

17 **SECTION 19.** 48.345 (6m) of the statutes is amended to read:

18 48.345 (6m) If the report prepared under s. 48.33 (1) recommends that the child
19 is in need of a coordinated services plan of care and if an initiative under s. 46.56 has
20 been established in for the county or, for a child who is a member of a tribe, as defined
21 in s. 46.56 (1) (q), by for a tribe, the judge may order an assessment of the child and
22 the child's family for eligibility for and appropriateness of the initiative, and if
23 eligible for enrollment in the initiative, that a coordinated services plan of care be
24 developed and implemented.

SECTION 20. 938.34 (6m) of the statutes is amended to read:

938.34 (6m) COORDINATED SERVICES PLAN OF CARE. If the report prepared under s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, if applicable, ~~by~~ for a tribe, order that an assessment of the juvenile and the juvenile's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

(END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1221/P2ins
MED:jld:jm

INSERT 2-7

****NOTE: I did not make the requested change to the definition of multi-entity initiative, for the following reasons: a) the term "multi-entity initiative" suggests by its very name that it contains more than one county or tribe; and b) "multi-entity initiative" is defined by reference to created s. 46.56 (2) (b), which requires an agreement with more than one county or tribe, whereas an initiative under s. 46.56 (2) (a) would be, as is the case under current law, for a single county or tribe. Making the change to the definition would therefore conflict with s. 46.56 (2) (b). Is there another way I could accomplish the intent of this proposed change?

Could you further explain the

INSERT 3-4

- 1 **SECTION 1.** 46.56 (3) (bm) of the statutes is created to read:
- 2 46.56 (3) (bm) 1. The coordinating committee of a multi-entity initiative shall
- 3 include representatives described under par. (a) 1. to 7. who are from any county or
- 4 tribe included in the multi-entity initiative, except that, of the representatives
- 5 described under par. (a) 1. to 7., the committee shall include at least one
- 6 representative from each county or tribe included in the initiative.

****NOTE: Please review my changes here. I assumed that you meant that you only want to require that each county or tribe be represented by at least one member from the required membership under par. (a) 1. to 7. However, if you meant that the committee must include *all* of the members under par. (a) 1. to 7. from *each* county and tribe that is included in a multi-entity initiative, or if you would like other changes, please let me know. *

- 7 2. For purposes of a coordinating committee appointed for a multi-entity
- 8 initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any
- 9 county or tribe included in the multi-entity initiative.

INSERT 3-20

****NOTE: Please review this provision again in light of the changes to created s. 46.56 (3) (bm). I don't think the language pertaining to an existing committee within the lead administrative county of a multi-entity initiative really could make sense anymore in light of those changes. Should the changes to this provision simply be taken out of the draft?

INSERT 5-15



1 2. If the department establishes requirements for initiatives that are not
2 multi-entity initiatives, the department may waive those requirements for
3 multi-entity initiatives.✓

****NOTE: Does this accomplish your intent regarding the waiver of requirements
for multi-entity initiatives?✓

INSERT 5-20

4 ✓
SECTION 2. 46.56 (15) (b) 4. of the statutes is amended to read:

5 46.56 (15) (b) 4. Submit a description of the existing services and other
6 resources in the county or tribe, in each county and tribe included in a ✓ multi-entity
7 initiative, or under a multi-entity initiative ✓ for children who are involved in 2 or
8 more systems of care, an assessment of any gaps in services, and a plan for using the
9 funds received under this subsection or funds from other sources to develop or
10 expand the initiative.

****NOTE: I added to the change requested here because this provision appears to
be talking about, at least in some cases, services in existence *before* an initiative is
established. Is this OK?

(end ins 5-20)

Duchek, Michael

From: Dombrowski, Cynthia A - DOA <cynthia.dombrowski@wisconsin.gov>
Sent: Thursday, January 31, 2013 1:55 PM
To: Duchek, Michael
Subject: Coordinated Services Teams (LRB 1221/P2)

Hi Mike – In the last version of the CST draft, you had imbedded several questions. Please see the answers below and let me know if you have any further questions.

Thanks,
Cindy

Section 2 is ok as drafted.

Section 5 is ok as drafted.

Section 6 – the changes to the provision should be taken out.

Section 14. 46.56 (14) (e) 2.

The intent with these changes is to allow the Department to waive statutory requirements under s. 46.56 for a multi-entity initiative if needed. The Department requests this authority because regional CST implementation will be new and potential obstacles to implementation are difficult to predict. It is not clear the draft we received captures that intent. DHS has proposed new language below:

46.56 (14) (e) 2. ~~If the department establishes requirements for initiatives that are not multi-entity initiatives, The department may waive any requirement under subds (1) to (13) for purposes of implementing those requirements for multi-entity initiatives.~~

Section 16 46.56 (15) (b) 4.

The intent with these changes is to indicate that a multi-entity initiative submit existing services and other resources available within the multi-entity initiative area. DHS feels it is only necessary that a multi-entity initiative describe the services across the entire multi-entity and not inventory services by county and tribe within the multi-entity. It is not clear this draft captures that intent. DHS has proposed new language below.

46.56 (15) (b) 4. Submit a description of the existing services and other resources in the county, ~~or tribe, in each county and tribe included in a multi-entity initiative, or under a multi-entity initiative~~ for children who are involved in 2 or more systems of care, an assessment of any gaps in services, and a plan for using the funds received under this subsection or funds from other sources to develop or expand the initiative.

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State of Wisconsin
2013 - 2014 LEGISLATURE

RMIR



LRB-1221/13
MED:jld:ph

DOA:.....Dombrowski, BB0402 – Coordinated service teams

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

(initiative) ✓

Under current law, the county board of a county or a federally recognized American Indian tribe or band (tribe) may establish an initiative to provide coordinated treatment, education, care, services, and other resources to children who are involved in two or more systems of care and their families. A system of care is defined as a public or private organization that provides services for children, including services for children with disabilities and child welfare, juvenile justice, educational, economic support, substance abuse, and health care services. A county or tribe that establishes an initiative must appoint a coordinating committee and designate a particular agency to administer the initiative. Initiatives that satisfy certain requirements may apply to the state for state funding for the initiative.

Under this bill, a county or tribe may enter into an agreement with one or more other counties or tribes to establish a multi-entity initiative. The agreement to establish the multi-entity initiative must specify a single lead administrative county or lead administrative tribe, which must appoint the membership of the coordinating committee. The bill provides that the lead administrative county or tribe for an initiative with more than one county or tribe may also apply for state funding for the multi-entity initiative.

Insert
A ✓

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.435 (5) (co) of the statutes is amended to read:

2 20.435 (5) (co) *Initiatives for coordinated services.* The amounts in the schedule
3 to fund county and tribal initiatives and multi-entity initiatives under s. 46.56 to
4 provide coordinated services.

5 **SECTION 2.** 46.56 (1) (hm) of the statutes is created to read:

6 46.56 (1) (hm) "Multi-entity initiative" means an initiative including more
7 than one county or tribe that is established under sub. (2) (b). 9

****NOTE: I did not make the requested change to the definition of multi-entity initiative, for the following reasons: a) the term "multi-entity initiative" suggests by its very name that it contains more than one county or tribe; and b) "multi-entity initiative" is defined by reference to created s. 46.56 (2) (b), which requires an agreement with more than one county or tribe, whereas an initiative under s. 46.56 (2) (a) would be, as is the case under current law, for a single county or tribe. Making the change to the definition would therefore conflict with s. 46.56 (2) (b). Could you further explain the intent of this proposed change?

8 **SECTION 3.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) and amended
9 to read:

10 46.56 (2) (a) If Except as provided in par. (b), if a county board of supervisors
11 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
12 county board or tribe shall appoint a coordinating committee and designate an
13 administering agency. The initiative may be funded by the county or tribe or the
14 county board of supervisors or tribe may apply for funding by the state in accordance
15 with sub. (15).

16 **SECTION 4.** 46.56 (2) (b) of the statutes is created to read:

1 46.56 (2) (b) A county may enter into an agreement with one or more other
2 counties or tribes to establish an initiative and a tribe may enter into an agreement
3 with one or more counties or tribes to establish an initiative. The parties to the
4 agreement shall designate in the agreement a single lead administrative county or
5 lead administrative tribe. The county board of the lead administrative county or the
6 lead administrative tribe shall appoint a coordinating committee and designate an
7 administering agency. The initiative may be funded by the participating entities, or
8 the county board of supervisors of the lead administrative county or the lead
9 administrative tribe may apply for funding by the state in accordance with sub. (15).

****NOTE: Please review this provision. Does this reflect the intent?

10 **SECTION 5.** 46.56 (3) (bm) of the statutes is created to read:

11 46.56 (3) (bm) 1. The coordinating committee of a multi-entity initiative shall
12 include representatives described under par. (a) 1. to 7. who are from any county or
13 tribe included in the multi-entity initiative, except that, of the representatives
14 described under par. (a) 1. to 7., the committee shall include at least one
15 representative from each county or tribe included in the initiative.

****NOTE: Please review my changes here. I assumed that you meant that you only want to require that each county or tribe be represented by at least one member from the required membership under par. (a) 1. to 7. However, if you meant that the committee must include *all* of the members under par. (a) 1. to 7. from *each* county and tribe that is included in a multi-entity initiative, or if you would like other changes, please let me know.

16 2. For purposes of a coordinating committee appointed for a multi-entity
17 initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any
18 county or tribe included in the multi-entity initiative.

19 **SECTION 6.** 46.56 (3) (c) of the statutes is amended to read:

20 46.56 (3) (c) An existing committee within the county or the lead
21 administrative county of a multi-entity initiative may serve as the coordinating

committee if it has the membership required under par. (a) or (bm) 1. and agrees to undertake the responsibilities in par. (d).

****NOTE: Please review this provision again in light of the changes to created s. 46.56 (3) (bm). I don't think the language pertaining to an existing committee within the lead administrative county of a multi-entity initiative really could make sense anymore in light of those changes. Should the changes to this provision simply be taken out of the draft?

SECTION 7. 46.56 (3) (d) 6. of the statutes is amended to read:

46.56 (3) (d) 6. If a county or tribe or a multi-entity initiative applies for funding under sub. (15), assist the administering agency in developing the application required under sub. (15) (b).

SECTION 8. 46.56 (3) (d) 14. of the statutes is amended to read:

46.56 (3) (d) 14. Establish target groups of children who are involved in 2 or more systems of care and their families to be served by the initiative. For a county or tribe or a multi-entity initiative that applies for funding under sub. (15), severely emotionally disturbed children are required to be a priority target group.

SECTION 9. 46.56 (4) (d) of the statutes is amended to read:

46.56 (4) (d) If the county board of supervisors or tribe or a multi-entity initiative decides to seek state funding under sub. (15), develop the application in cooperation with the coordinating committee.

SECTION 10. 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and amended to read:

46.56 (6) (cr) 1. ~~Every~~ Except as provided in subd. 2., every county and tribe that operates any initiative shall develop written policies and procedures specifying the selection process for the initiative coordinator.

SECTION 11. 46.56 (6) (cr) 2. of the statutes is created to read:

1 46.56 (6) (cr) 2. For a multi-entity initiative, the lead administrative county
2 or the lead administrative tribe shall develop the written policies and procedures
3 under subd. 1. specifying the selection process for the initiative coordinator.

****NOTE: I assumed the lead administrative county or tribe must develop the written policies and procedures specifying the selection process for the initiative coordinator. Is this correct? Should "the initiative coordinator" in these provisions be "an initiative coordinator"?

4 **SECTION 12.** 46.56 (14) (b) (intro.) of the statutes is amended to read:

5 46.56 (14) (b) (intro.) The department shall provide, either directly or through
6 purchase of services, the following support services to the counties and tribes that
7 elect to participate in the initiative and to multi-entity initiatives:

****NOTE: Please review this change and let me know if you want any further changes to this provision.

8 **SECTION 13.** 46.56 (14) (d) of the statutes is amended to read:

9 46.56 (14) (d) Notwithstanding eligibility requirements for enrollment in the
10 initiative, if the state is funding the initiative in a particular county or for a tribe or
11 is funding a multi-entity initiative under sub. (15), the department may permit the
12 county ~~or~~ tribe, or multi-entity initiative to serve under this section any individual
13 who has a severe disability and who has not attained 22 years of age, and his or her
14 family, if the individual's mental, physical, sensory, behavioral, emotional, or
15 developmental disability or whose combination of multiple disabilities meets the
16 requirements specified in sub. (1) (om) 1. to 4.

17 **SECTION 14.** 46.56 (14) (e) of the statutes is created to read:

18 46.56 (14) (e) 1. The department may establish additional criteria to apply to
19 multi-entity initiatives.

****NOTE: Does this reflect your intent? Can this provision be more specific as to what kind of criteria DHS would be establishing for these initiatives?

2. If the department establishes requirements for initiatives that are not multi-entity initiatives, the department may waive those requirements for multi-entity initiatives.

****NOTE: Does this accomplish your intent regarding the waiver of requirements for multi-entity initiatives?

SECTION 15. 46.56 (15) (b) (intro.) of the statutes is amended to read:

46.56 (15) (b) (intro.) In order to apply for funds under this subsection, the county board of supervisors or tribe or, for a multi-entity initiative, the county board of the lead administrative county or the lead administrative tribe shall do all of the following:

SECTION 16. 46.56 (15) (b) 4. of the statutes is amended to read:

46.56 (15) (b) 4. Submit a description of the existing services and other resources in the county or tribe, in each county and tribe included in a multi-entity initiative, or under a multi-entity initiative for children who are involved in 2 or more systems of care, an assessment of any gaps in services, and a plan for using the funds received under this subsection or funds from other sources to develop or expand the initiative.

****NOTE: I added to the change requested here because this provision appears to be talking about, at least in some cases, services in existence *before* an initiative is established. Is this OK?

SECTION 17. 46.56 (15) (c) of the statutes is amended to read:

46.56 (15) (c) In order for a county or tribe or a multi-entity initiative to obtain funds under this subsection, all of the participating agencies and organizations shall provide matching funds that, in total, equal 20% of the requested funding. The match may be cash or in-kind. The department shall determine what may be used as in-kind match.

****NOTE: Please review this change. Are any further changes needed here?

SECTION 18. 46.56 (15) (d) of the statutes is amended to read:

46.56 (15) (d) In order to apply for funding, a county or tribe or a multi-entity initiative shall have a coordinating committee that meets the requirements under sub. (3) (a) and (b), and, if applicable, sub. (3) (bm) that will carry out the responsibilities under sub. (3) (d).

SECTION 19. 48.345 (6m) of the statutes is amended to read:

48.345 (6m) If the report prepared under s. 48.33 (1) recommends that the child is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, for a child who is a member of a tribe, as defined in s. 46.56 (1) (q), ~~by~~ for a tribe, the judge may order an assessment of the child and the child's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

SECTION 20. 938.34 (6m) of the statutes is amended to read:

938.34 (6m) COORDINATED SERVICES PLAN OF CARE. If the report prepared under s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or, if applicable, ~~by~~ for a tribe, order that an assessment of the juvenile and the juvenile's family for eligibility for and appropriateness of the initiative, and if eligible for enrollment in the initiative, that a coordinated services plan of care be developed and implemented.

(END)

**2013-2014 DRAFTING INSERT
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LRB-1221/P3ins
MED:.....

INSERT A

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4
The bill also provides that DHS may establish additional requirements to apply with respect to multi-entity initiatives, including requirements that conflict with any of the statutory requirements related to initiatives, other than provisions for DHS's duties related to initiatives and provisions for state funding of initiatives.

INSERT 4-11

1 **SECTION 1.** 46.56 (3) (f) of the statutes is created to read:

2 46.56 (3) (f) This subsection does not apply with respect to multi-entity
3 initiatives to the extent that the department has adopted requirements under sub.
4 (14) (e) that conflict with those contained in this subsection.

5 **SECTION 2.** 46.56 (4) (intro.) of the statutes is amended to read:

6 46.56 (4) **ROLE OF ADMINISTERING AGENCY.** (intro.) The Except when otherwise
7 provided in requirements established by the department under sub. (14) (e) that
8 apply with respect to multi-entity initiatives, the administering agency designated
9 under sub. (2) shall do all of the following:

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

INSERT 4-15

10 **SECTION 3.** 46.56 (5) (intro.) of the statutes is amended to read:

11 46.56 (5) **INTERAGENCY AGREEMENT.** (intro.) An Except when otherwise provided
12 in requirements established by the department under sub. (14) (e) that apply with
13 respect to multi-entity initiatives, an interagency agreement shall include all of the
14 following:

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

INSERT 5-4

15 **SECTION 4.** 46.56 (6) (e) of the statutes is created to read:

16 46.56 (6) (e) This subsection does not apply with respect to multi-entity
17 initiatives to the extent that the department has adopted requirements under sub.
18 (14) (e) that conflict with those contained in this subsection.



1 **SECTION 5.** 46.56 (7) (intro.)[✓] of the statutes is amended to read:

2 46.56 (7) ELIGIBILITY OF CHILDREN AND FAMILIES. (intro.) ~~Children~~ Except when
3 otherwise provided in requirements established by the department under[✓] sub. (14)
4 (e) that apply with respect to multi-entity initiatives,[✓] children who are involved in
5 2 of more systems of care and their families shall be eligible for the initiative, except
6 that the coordinating committee may establish specific additional criteria for
7 eligibility for services and may establish certain target groups of children who are
8 involved in 2 or more systems of care to receive services. If target groups are
9 established, only children falling within the target groups may be enrolled in the
10 initiative. Any eligibility criteria shall meet all of the following conditions:


History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317,[✓] 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

11 **SECTION 6.** 46.56 (8) (t) of the statutes is created to read:

12 46.56 (8) (t) This subsection does not apply with respect to[✓] multi-entity
13 initiatives to the extent that the department has adopted requirements under sub.
14 (14) (e)[✓] that conflict with those contained in this subsection.[✓]

15 **SECTION 7.** 46.56 (9) to (13)[✓] of the statutes are amended to read:

16 46.56 (9) IMMEDIATE CARE. Individual county departments, tribal agencies,
17 other agencies, and other service providers shall provide immediate services and
18 other resources as necessary and appropriate to children who are involved in 2 or
19 more systems of care and their families who have been referred for an evaluation of
20 eligibility for and appropriateness of enrollment in the initiative while assessment
21 and planning take place. This subsection[✓] does not apply with respect to multi-entity
22 initiatives to the extent that the department has adopted requirements under sub.
23 (14) (e)[✓] that conflict with those contained in this subsection.



1 (10) RELATION TO OTHER SUPPORT PROGRAMS. In any county or for a tribe that has
2 a family support program under s. 46.985 or other support programs, including
3 comprehensive community services or office of justice assistance programs, the
4 initiative shall coordinate its activities with the support programs. This subsection
5 does not apply with respect to multi-entity initiatives to the extent that the
6 department has adopted requirements under sub. (14) (e) that conflict with those
7 contained in this subsection.

8 (11) CONFLICT MANAGEMENT. The department, administering agency, service
9 coordination agencies, and service coordinators shall establish and use informal
10 means for conflict management, including consultation, mediation, and independent
11 assessment, whenever possible. A formal conflict management policy shall be
12 established in writing by the coordinating committee for use by families, providers,
13 and other individuals involved in the initiative. This subsection does not apply with
14 respect to multi-entity initiatives to the extent that the department has adopted
15 requirements under sub. (14) (e) that conflict with those contained in this subsection.

16 (12) ADMINISTRATIVE APPEALS. Decisions by the service coordination agency
17 regarding eligibility, enrollment, denial, termination, reduction, or appropriateness
18 of services and decisions by the individuals designated by the coordinating
19 committee regarding eligibility, enrollment, or denial may be appealed to the
20 coordinating committee by a child who is a service applicant or recipient or by the
21 parent or guardian or guardian ad litem of the applicant or recipient. Decisions of
22 the coordinating committee may be appealed to the department under ch. 227. This
23 subsection does not apply with respect to multi-entity initiatives to the extent that
24 the department has adopted requirements under sub. (14) (e) that conflict with those
25 contained in this subsection.

↓

(13) REVIEW OF ACTIONS BY INDIVIDUAL AGENCIES. Nothing in this section shall limit, modify, or expand the rights, remedies, or procedures established in federal statutes or regulations or state statutes or rules for individuals or families receiving services provided by individual organizations that are participating in the coordinated services plan of care. This subsection does not apply with respect to multi-entity initiatives to the extent that the department has adopted requirements under sub. (14) (e) that conflict with those contained in this subsection. (end ins 5-4)

History: 1989 a. 31; 1993 a. 27, 399, 446; 1995 a. 27 ss. 2317, 2318, 9130 (4), 9145 (1); 1995 a. 77, 201; 1997 a. 3, 27, 114, 164; 2001 a. 16; 2009 a. 28, 334; 2011 a. 260.

INSERT 5-17

46.56 (14) (e) The department may establish additional requirements to apply with respect to multi-entity initiatives, including requirements that conflict with any requirements in subs. (3) to (13).

****NOTE: Because sub. (1) only provides definitions to give meaning to the terms used throughout s. 46.56, and does not itself impose any substantive requirements, I did not include sub. (1) within the range in this provision. Also, because multi-entity initiatives are themselves established under sub. (2) (b), I cannot include sub. (2) within the range in this provision. I therefore used the range of "subs. (3) to (13)" here and added language to each subsection to alert the reader to the possibility that these subsections may not apply to multi-entity initiatives. However, in the interest of making the law as clear as possible, I recommend identifying more specifically which parts of current law could potentially need to be waived for multi-entity initiatives.

INSERT 6-8

SECTION 8. 46.56 (15) (b) 4. of the statutes is amended to read:

46.56 (15) (b) 4. Submit a description of the existing services and other resources in the county or tribe or in the area or areas served by a multi-entity initiative for children who are involved in 2 or more systems of care, an assessment of any gaps in services, and a plan for using the funds received under this subsection or funds from other sources to develop or expand the initiative.

****NOTE: Because a multi-entity initiative is itself not a geographical area, I instead referred to the "area or areas served by a multi-entity initiative." Does this satisfy your intent?

(end ins 6-8)

Duchek, Michael

From: Dombrowski, Cynthia A - DOA <cynthia.dombrowski@wisconsin.gov>
Sent: Friday, February 08, 2013 9:41 AM
To: Duchek, Michael
Subject: CST - 1221/P3

Hi Mike –

Per our discussion, we are satisfied that the P3 version meets the intent as drafted.

Thank you!
Cindy

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